

**SECRET**

OGC Has Reviewed

OPC

25X4/20 December 1948

Assistant General Counsel

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1. Reference is made to your memorandum, dated 8 December 1948, concerning the above subject. You attached a Memo-  
randum For The Record, signed by [redacted] dated  
23 November 1948. That memorandum is returned herewith. You  
point out that at the time subject entered on duty, she signed  
a Form No. 51-104. You request a decision be rendered con-  
cerning the validity of the waiver granted by the Assistant  
Director for the Office of Policy Coordination.

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2. Form No. 51-104 is a form prescribed and used as a part  
of CIA [redacted] dated 21 June 1948,  
signed by the Director. It is provided in that instruction that  
appointments of employees to be paid from unexpended funds will  
be made where employees are specifically employed for overseas  
duty on the prescribed form No. 51-104. The Assistant Directors  
for Operations and Special Operations are authorized, in their  
discretion, to require acceptance of an agreement prescribing a  
tour of less than twenty-four months where it is determined to  
be in the best interests of the Government. The effect of OP-  
[redacted] of 23 November 1948 is a conditional waiver  
of the requirements of Administrative Instruction No. 20-7 as  
to length of overseas service required.

3. Since [redacted] was signed  
by the Director, and no objection to the knowledge of this office,  
has been provided for the Assistant Director for OPC, it would  
appear that in so far as any violation from the prescribed tour  
of duty abroad is concerned, the memorandum of 23 November 1948  
is without effect. The question of whether a shorter tour of  
duty abroad, based on possible health considerations would be  
in the best interests of the Government is not raised, and conse-  
quently, will not be answered by this office at this time.

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General Counsel: [redacted]

Encls

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Memo For The Record, dated 23 November 1948,  
signed by [redacted]

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cc:

OPC  
G-2  
OPC

Legal Decisions - Personnel Procedures  
CIA Chrono

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